# THE COTTON DUTIES ACT, 1896.

#### CONTENTS.

#### PRELIMINARY.

#### SECTIONS.

- 1: Title, extent and commencement.
- 2. Repeal.
- 3. Definitions.
- 4. Performance of duties of Customs-officers by subordinate officers.

#### PART I.

#### Excise.

### Application of Principal Act.

5. Modifications to be made in Principal Act as applied to this Part.

#### Duty.

- 6. Imposition of duty on cotton goods produced in British Indian mills.
- 7. Power to Governor General in Council to fix tariff values of such goods.
- 8. Delivery of monthly returns of goods produced by mill-owners.
- 9. Assessment of duty and notice requiring payment.
- 10 Application of certain sections of Principal Act to assessment and recovery of duty under this Act.
- 11. Recovery of unpaid duty.

#### Warehousing.

- 12. Licensing of warehouses for storage of goods and fees for same.
  - 13. Permission to deposit goods in warehouses.
  - 14. Application to goods so deposited of provisions of Chapter XI of Principal Act.

15. Exemption

## ACT No. II of 1896.

Passed by the Governor General of India in Council.

(Received the assent of the Governor General on the 3rd February 1896.)

An Act to provide for the Imposition and Levy of certain Duties on Cotton Goods.

XVII of 1894

WHEREAS it is expedient to repeal the Cotton Duties Act, 1894, and to impose certain duties on cotton goods; It is hereby enacted as follows:—

#### PRELIMINARY.

- 1. (1) This Act may be called the Cotton Duties Title, extent Act, 1896.

  Title, extent and commencement.
  - (2) It extends to the whole of British India; and
  - (3) It shall come into force at once.

XVII of 1894. 2. (1) The Cotton Duties Act, 1894, is hereby Repeal. repealed.

- (2) But all the provisions in respect of drawback contained in sections 17 to 24 of that Act shall be deemed to be in force in respect of all duty paid thereunder, and all sums recoverable, liabilities incurred, officers appointed or authorised, warehouses licensed and rules and directions made under that Act shall, so far as may be, be deemed respectively to be recoverable, and to have been incurred, appointed or authorised, licensed and made under this Act.
- 3. In this Act, unless there be something repug. Definitions nant in the subject or context,—

(1) "the Principal Act" means the Sea Customs VIII of 1878. Act, 1878:

(2) "Chief Customs Authority" means, in the Presidency of Fort St. George, and the territories respectively

### (Preliminary.—Section 3.)

respectively under the administration of the Lieutenant-Governors of Bengal and the North-Western Provinces and the Chief Commissioner of Oudh, the Board of Revenue; in the Presidency of Bombay outside Sind, the Commissioner of Customs; in Sind, the Commissioner; in the Punjab and Burma, the Financial Commissioner; and elsewhere the Local Government or such officer as the Local Government may, by notification in the official Gazette, appoint in this behalf by name or in virtue of his office:

- (3) "Collector" means—
  - (a) at Calcutta, Bombay, Madras, Rangoon and Karachi, the Collector of Customs, and
  - (b) in any other place, the Collector or Deputy Commissioner of the District or such other officer as the Local Government may appoint in this behalf, and includes
  - (o) every officer for the time being duly authorised by the Local Government to perform all or any of the duties of a Collector under this Act:
- (4) "cotton yarn" or "yarn" means yarn wholly or partly composed of cotton fibres:
- (5) "cotton goods" or "goods" includes all tissues and other articles (except yarn and thread), woven, knitted or otherwise manufactured, wholly or partly, from cotton yarn:
- (6) "mill" means any building or place where cotton goods are woven, knitted or otherwise manufactured by machinery moved otherwise than by manual labour, and includes every part of such building or place:
- (7) "warehouse" means a place licensed for the storage of goods under this Act, and includes every public or private warehouse duly appointed or licensed under section 15 or 16 of the Principal Act, or under

section

## (Preliminary.—Section 4. Part I.—Excise.— Sections 5.6.)

XXI of 1887 section 2 of the Inland Bonded Warehouses Act, 1887:

- (8) "customs port," foreign port," "vessel" and "master" have respectively the meanings defined for them in the Principal Act.
- 4. The officers subordinate to a Collector shall, Performance unless the Local Government shall otherwise so direct, of duties of for the purposes of this Act perform the duties officers by imposed and exercise the powers conferred upon subordinate officers of Customs under the Principal Act.

#### PART I.

#### EXCISE.

## Application of Principal Act.

- 5. In the application of the Principal Act or any Modifications particular section or sections thereof to this Part the to be made in Principal Act of made therein, as applied to this Part.
  - (a) "the owner of the goods" shall include the managing agent or other principal officer of a mill;
  - (b) for "the bill-of-entry" or "shipping-bill" shall be substituted "the return required by this Act";
  - (c) every reference to a warehouse, or warehouseing, shall be construed as referring to a "warehouse" as hereinbefore defined.

## Duty.

6. There shall be levied and collected at every mill Imposition in British India, upon all cotton goods produced in of duty on cotton goods such mill, a duty at the rate of  $3\frac{1}{2}$  per centum on the produced in value of such goods.

British Indian mills.

Explanation.

### (Part I.—Excise.—Sections 7-8.)

Explanation.—Goods are said to be produced within the meaning of this section when they are issued out of the premises of the mill. But, in the case of any mill in which the goods are chiefly or largely made up and sold otherwise than as piece-goods, the Governor General in Council may direct that goods shall be reckoned as produced when they are issued out of the weaving section or sections of the mill.

Power to Governor General in Council to fix tariff values of such goods.

- 7. (1) The Governor General in Council may, from time to time, by notification in the Gazette of India, fix, for the purpose of levying the said duties, tariff values of all such goods as aforesaid or of any particular description or descriptions thereof, and alter any tariff values for the time being in force.
- (2) Such tariff value shall, for the purposes of this Act, be deemed to be the "real value" of the goods to which it applies, but save as aforesaid all goods shall be assessed under this Act at their real value.
- (3) For the purposes of this Act the real value shall be deemed to be—
  - (a) the wholesale cash price, less trade discount for which goods of the like kind and quality are sold or are capable of being sold at the time and place of production, without any abatement or deduction whatever, except of the amount of the duties payable on the production thereof;
  - (b) where such price is not ascertainable, the cost at which goods of the like kind and quality could be delivered at such place, without any abatement or deduction, except as aforesaid.

Delivery of monthly returns of goods produced by mill-owners.

- 8. (1) The owner of every mill shall prepare and deliver, or cause to be prepared and delivered, to the Collector each month a return of all the cotton goods produced at his mill during the preceding month; and shall subscribe a declaration of the truth of such return at the foot thereof.
  - (2) Unless

### (Part I.—Excise.—Sections 9-10.)

- (2) Unless otherwise prescribed by any rules under this Act, every such return shall state for each description of goods the quantity produced during the period to which the return relates, and the real value of such goods.
- (3) Every such return shall also contain such further information and be in such form and be subject to such conditions as to verification and otherwise as may be prescribed by any rules under this Act.
- (4) Each return shall be delivered to the Collector or posted to his address within three working days, and at most within seven days, of the period to which it relates; and the first of such returns shall be made for the month of February, 1896, and shall include all goods produced since the commencement of this Act.

Explanation.—"Working day" in this sub-section means every day except a public holiday as defined in section 25 of the Negotiable Instruments Act, 1881.

9. (1) The Collector shall assess the duties payable Assessment in respect of the period to which the return relates, of duty and and unless the amount thereof is immediately tendered requiring shall cause a notice, in such form as may be prescribed payment. by any rules under this Act, to be served on the owner requiring him to make payment of the amount assessed within ten days of the date of service of the said notice.

- (2) A notice under sub-section (1) may be served on the owner of a mill by delivering or tendering to him or his agent at his ordinary place of business a copy of the notice, or, if this cannot be conveniently done, by fixing a copy of the notice on one of the outer doors of the mill.
- 10. Sections 31 to 34, 37, and 39 to 41, all inclu- Application sive, of the Principal Act, shall apply to the assessment and recovery of the duties imposed by this Act: Principal Act

Provided that the rate of duty and the tariff and recovery valuation applicable to any goods which have not been of duty under

to assessment

warehoused

XXVI of 1881.

## (Part I.-Excise.-Sections 11-13.)

warehoused as hereinafter provided shall be those in force at the time when the goods were produced, and not when the return was delivered as provided by the said section 37.

Recovery of unpaid duty.

- 11. (1) If any duty payable under this Act is not paid within the time fixed by any such notice as aforesaid for the payment thereof, the Collector may, in lieu thereof, recover any sum not exceeding double the amount of duty so unpaid, which he shall, in his discretion, think it reasonable to require.
- (2) All sums recoverable under sub-section (1) shall be recovered in the manner provided in Act II of 1886, section 30, sub-sections (1), (2) and (3), with respect to the sums therein referred to.

## Warehousing.

Licensing of goods and fees for same.

- 12. (1) The Chief Customs Authority may from warehouses for storage of time to time license any room or place as a warehouse for the storage of cotton goods, and for the purposes of this Act every such room or place shall be deemed to be a warehouse and to have been duly licensed under the Principal Act.
  - (2) There shall be payable in respect of every such warehouse such and the like licensing fees and other payments as may for the time being be payable in respect of a private warehouse licensed under the Principal Act:

Provided that the Chief Customs Authority may remit the whole or any part of such fees or other payments in respect of any particular warehouse.

Permission to deposit goods in warehouses.

13. (1) The owner of any mill may apply for leave to deposit in a warehouse any goods in respect of which duty has become leviable under section 6 but has not yet been assessed under section 9.

(2) Such

## (Part I .-- Excise .-- Sections 14-16.)

- (2) Such application shall be in writing signed by the applicant, and shall be in such form as may be prescribed by the Chief Customs Authority.
- 14. All the provisions of Chapter XI of the Prin-Application cipal Act, so far as the same are applicable to imported to goods so goods of a similar description, shall apply to all goods provisions of in respect of which an application has been made Chapter XI of Principal act.

15. When any goods have been deposited in a Exemption warehouse, the quantity and particulars thereof shall from assessment of specified as so deposited in the return made goods so under section 8 for the period in which the goods deposited. were produced, or in a separate return for that same period, and the said goods shall be deducted in the assessment and collection of duty.

### Inspection.

- 16. (1) The Collector, or any officer duly appointed Power to by the Local Government in that behalf, shall have Collector to free access at all reasonable times during working and take hours to any mill and, subject to any order of the copies of Local Government in this behalf, to any part of any accounts.
- (2) Any such officer may at any time, with or without notice to the owner, examine the working records, sale records, and accounts of any mill, and take copies of, or extracts from, all or any of the said records or accounts, for the purpose of testing the accuracy of any return, or of informing himself as to any particulars regarding which information is required for the purposes of this Act or any rules thereunder.
- (3) Any mill owner may object to submitting to any officer under the rank of a Collector any record or account containing the description or formulæ of any trade process:

but,

## (Part I - Excise. - Sections 17-19)

but, if he objects to the inspection of any record or account by such an officer on the ground of its containing such description or formulæ, he must submit his objection in writing to the officer for transmission to the Collector, and the officer may then and there seal up the record or account pending the orders of the Collector.

Information acquired to be deemed official secrets ing of Act X V, 1889.

17. (1) All such copies and extracts, and all other information acquired by any such officer on the inspection of any mill or warehouse, shall be regarded within mean as strictly confidential, and shall be deemed to be official secrets.

> (2) If any such officer shall disclose to any person other than a superior officer any such official secret as aforesaid without the previous consent in writing of the Chief Customs Authority, he shall be guilty of a breach of official trust, and shall, upon conviction thereof, be punishable in the manner provided section 4 of the Indian Official Secrets Act. 1889.

> (3) The restriction imposed by section 5 of the last-mentioned Act shall not apply to a prosecution for a breach of an official trust under this Act.

> > Export and Drawback.

Grant of certificate when dutiable goods are to be exported to foreign port.

18. If any dutiable goods are exported by sea to any foreign port before the return in respect of them has been delivered to the Collector under section 8. the owner of the mill in which they were produced may apply in writing to the Customs Collector at the port of shipment, who, on being satisfied that such goods have actually been shipped for export, shall issue a certificate stating the quantity and particulars of such goods and that they have actually been so shipped.

goods to be exempt from duty.

19. When any certificate has been applied for eate granted, under section 18, the quantity and particulars of the goods mentioned in the application shall be specified as so shipped in the return made under section 8 for any period not later than that in which they were shipped, and, if the Collector is satisfied that the said

goods

XV of 18

## (Part I.—Excise.—Sections 20-22.)

goods have been so shipped and that the conditions (if any) imposed by rules under this Act have been complied with, the said goods shall be deducted in the assessment and collection of duty.

20. (1) When any dutiable goods are exported by sea from any customs port to any foreign port, the of duty in exporter may apply to the Customs Collector at the port of shipment for the repayment as drawback of any duty which may have been paid under this Act in respect of such goods.

Repayment case of certain cotton goods exported to foreign

- (2) In every application made under sub-section (1) the applicant must state the description or descriptions of the goods in respect of which drawback is claimed, the mill at which the goods were produced, and, as nearly as possible, the dates on which they were produced, and such further particulars, if any, as may be prescribed.
- 21. (1) The drawback shall be allowed by the Collector if it is shown to his satisfaction that the goods in respect of which drawback is applied for have paid duty within twelve months of the date on which they are shipped for export, and that the conditions (if any) imposed by rules under this Act have been complied with.

refunds may

Power to

prohibit re-

payment of duty in case

of exportation to cer-

tain ports.

- (2) Drawback shall not cease to be admissible merely by reason of the goods in respect of which it is applied for having been bleached, dyed, coloured or printed after having been produced within the meaning of section 6.
- 22. (1) The Governor General in Council may, from time to time, by notification in the Gazette of India, prohibit the payment of drawback on the exportation of cotton goods to any specified foreign ports.
- (2) Any notification already made under section 22 of the Cotton Duties Act, 1894, shall be deemed to have been made under this section.

XVII of

23. Notwithstanding

### (Part I.—Excise.—Sections 23-25.)

No repayment of duty to be granted in certain cases.

- 23. Notwithstanding anything herein contained, no drawback shall be allowed in respect of any cotton goods on which duty has been paid—
  - (a) when the goods are of less value than the amount of drawback claimed, or
  - (b) when the claim is for drawback amounting to less than five rupees in respect of any single shipment.

of sections 51 and 52 of Principal Act to claims under this Act.

Punishments

for offences.

Application

24. Sections 51 and 52 of the Principal Act shall apply to every claim for drawback under this Act.

## Offences and Penalties.

- 25. The offences mentioned in the first column of the following schedule shall be punishable to the extent mentioned in the second column thereof with reference to such offences respectively:—
- Contravening any rule made under this Act.
- Penalty not exceeding five hundred rupees.
- 2. Concealing or attempting to conceal, or knowingly permitting or procuring to be concealed, any goods liable to duty under this Act with intent to evade payment of the duty or any part thereof.
- Such goods shall be liable to confiscation, and every person convicted of the offence shall be liable to a penalty not exceeding three times the value of the goods.
- 3. Omitting to make any return required by section 8 or refusing to sign or complete the same.
- Penalty not exceeding one thousand rupees.
- 4. Making and delivering any such return containing any statement not true to the best of the information and belief of the person making the same.
- The penalty provided in the Indian Penal Code, section 199, for making a false statement in a declaration.
- 5. Altering or falsifying any record or book of account kept in the mill with the intention of defrauding the revenue.
- The penalty provided in the Indian Penal Code, section 465, for the commission of forgery.
- 6 Omitting, without reasonable cause, to keep samples as provided in section 28.
- A penalty for each offence not exceeding two hundred rupees.
  - 7. Omitting

XLV of

## (Part I.—Excise.—Section 25.)

- Omitting to keep such proper records and books of account as may be prescribed by any rule under this Act.
- 8. Omitting to make and deliver any return which by any rule under this Act ought to have been made and delivered.
- 9. Intentionally obstructing any Collector or other officer in the exercise of any powers given under this Act.
- 10. If any goods in respect of which a certificate has been obtained under section 18, or any goods on the entry of which for export drawback has been paid, are not duly exported or are unshipped or relanded at any customs port, not having been duly relanded or discharged under the provisions of the Principal Act.
- 11. If any goods are entered for drawback which are of less value than the drawback claimed
- 12. If any goods are found concealed in any place, box or closed receptacle in any mill and are not duly accounted for to the satisfaction of the Collector.
- 13. If any goods are found in any mill in excess of the quantity entered in the return or not corresponding with the statement therein contained.
- 14. If when any cotton goods are passed by tale or by package any omission or misdescription thereof tending to injure the revenue be discovered.

- Penalty not exceeding five hundred rupees and a further penalty of twenty rupees for every day after the date of the conviction during which the offence is continued.
- Penalty not exceeding one thousand rupees.
- Imprisonment for a term not exceeding six months, or fine not exceeding one thousand rupees, or both.
- Such goods, together with any vessel used in the unshipping or relanding them, shall be liable to confiscation, and the master of the vessel from which such goods are so unshipped or relanded, and any person by whom or by whose orders or means such goods are so unshipped or relanded, or who aids or is concerned in such unshipping or relanding, shall be liable to a penalty not exceeding three times the value of such goods, or not exceeding one thousand rupees.
- Such goods shall be liable to confiscation.
- Such goods shall be liable to confis-
- Such goods shall be liable to confiscation or to be charged with such increased duty as the Chief Customs Authority may direct.
- The person guilty of such omission or misdescription shall be liable to a penalty not exceeding ten times the amount of duty which might have been lost to the Government by such omission or misdescription, unless it be proved to the satisfaction of the Collector or other officer that the variance was accidental.

15. If

## (Part I.-Excise. - Sections, 26-28.)

- 16. If any Collector or officer subordinate to a Collector does
  any act or is guilty of any
  omission in contravention
  of this Act or of any rule
  or order made thereunder;
  or, with intent to cause injury or annoyance to any
  person, vexatiously and unnecessarily makes use of any
  power conferred upon him
  under this Act.
- Such Collector or officer shall be liable on conviction to a fine not exceeding five hundred rupees.

- 16. The offences described in the Principal Act, section 167, Schedule Nos. 41--53, both inclusive, in reference to warehousing of dutiable goods.
- The penalties prescribed in the same Schedule in respect of such offences respectively.

Magistrates having jurisdiction.

Application of section 168 of Principal Act to cases of confiscation under this Act.

Samples of certain goods to be taken by mill-owners at time of manufacture and to be available for inspection.

26. All offences against this Act may be tried summarily by a District or Presidency Magistrate or a Magistrate of the First Class.

27. Section 168 of the Principal Act shall apply to all cases of confiscation of goods under this Act.

#### Miscellaneous.

- 28. (1) The owner of every mill shall, in the case of any goods other than those for which tariff values have been fixed under section 7, take a sample or samples of such goods, at the time of manufacturing the same, and shall preserve such samples for reference for at least six months after the said goods are produced.
- (2) Such samples shall be at all times available for inspection by the Collector, or by any officer appointed under section 16; and an examination thereof shall, if the goods themselves cannot conveniently be examined, be deemed to be an examination of the goods within the meaning of section 31 of the Principal Act.
- (3) The Governor General in Council may define by rule what shall in any specified case be a sufficient sample for the purposes of this section.

**29.** (1) The

## (Part I.—Excise.—Sections 29-34.)

- 29. (1) The Collector or any officer appointed Power to under section 16 may at any time take samples of any take samples. goods for examination or for ascertaining the value thereof, or for any other necessary purpose.
- (2) The owner may when required to deliver any sample to an officer appointed under section 16 seal up such sample in a cover addressed to the Collector: and in such case the said officer shall deliver such cover intact to the Collector.
- (3) Every sample shall, if practicable, be restored to the owner, or, at his option, sold by the Collector. and the proceeds accounted for to the owner.
- 30. The owner of every mill shall keep such re- Records and cords and books of account as may be prescribed by accounts to be kept by any rules under this Act.
- 31. The owner of every mill or place where cotton Mill-owners yarn is spun by machinery moved otherwise than by to make periodical manual labour shall make periodical returns to the returns of Collector of the quantity and description of all such cotton yarn yarns, in such form, with such particulars, and at machinery. such intervals, as may be prescribed by any rule under this Act.
- 32. All the provisions of Chapter XVII of the Application Principal Act, except sections 169, 170, 177, 182, 184, of certain provisions 185, 187, 190, 191 and 193, shall apply to all proceed-of Principal ings under this Act.
- 33. The Local Government may, on the application Power to of any person aggrieved by any decision or order Local Govpassed under this Act, reverse or modify such decision reverse or or order.
- 34. The provisions of sections 198, 201, 204, 205 Certain proand 206 of the Principal Act shall be deemed to be Principal Act incorporated in this Act.

ceedings under this

modify orders under this Act.

to be incorporated in this Act.

35. The

## (Part I.-Excise.-Sections 35-36.)

Application: 1894, to duties under this Act.

35. The provisions of section 10 of the Indian of section 10; Tariff Act, 1894, shall apply to duties on cotton goods VIII of 1894 imposed under this Act.

Power to Governor General in Council to make rules.

- 36. (1) The Governor General in Council may from time to time make rules under this Act,-
  - (a) prescribing the form of any return required by or under this Act and the particulars to be contained therein respectively, and the manner in which the same is to be verified, and all such other conditions in respect thereof as may be necessary;
  - (b) requiring returns of yarns spun;
  - (c) prescribing the form of the notice to be issued by the Collector under section 9;
  - (d) regulating the inspection of mills, and the powers and duties of Collectors and other officers in respect thereof;
  - (e) regulating the provision of warehouses under this Act, and the deposit and discharge of goods therein and therefrom, and the powers and duties of the Collector in respect thereof;
  - (f) prescribing the records and books of account to be kept by owners of mills under this Act;
  - (9) prescribing the conditions under which alone exemption from duty and repayment as drawback shall be allowed under sections 19 and 21; and,
  - (h) generally, for carrying into effect the provisions of this Act.
- (2) The application of any such rule may be confined to any place or places specified therein.

PART II.

(Part II.—Inland' Customs Duties.—Sections 37-38. Part III.—Transitory Provisions.—Section 39.)

## PART II.

#### INLAND CUSTOMS DUTIES.

37. (1) Duties of customs shall be levied at the Levy of rates for the time being prescribed in the Indian duties on VIII of 1894. Tariff Act, 1894, upon cotton goods passing into passing into British India out of any territory declared, under the British India power hereinafter in this section conferred, to be foreign territory. territory.

- (2) The Governor General in Council may, by notification in the Gazette of India, declare that any territory situated within or bordering on, but not forming part of, British India shall be deemed, for the purposes of this section, to be foreign territory.
- (3) The Governor General in Council may, from time to time, by notification in the Gazette of India. prohibit or restrict the bringing of cotton goods into British India from any such foreign territory, or prescribe the routes by which alone they may be brought.
- (4) The provisions of section 19A of the Principal Act shall apply to all goods brought or attempted to be brought into British India in contravention of any such notification.
- 38. The provisions of the Principal Act as to Application drawback on export shall apply to all goods upon of provisions which duty has been paid under this Part.

of Principal Act as to drawback to goods taxed under this Part.

## PART III.

### TRANSITORY PROVISIONS.

39. If any mill-owner has in his mill, at the com- Drawback in mencement of this Act, any yarns which, before the respect of twenty-third day of January, 1896,—

(a) were produced at his mill within the meaning purchased or imported of clause (b) of the Explanation to section before the 5 of the Cotton Duties Act, 1894, or

yarns in mills produced, 23rd January, 1896. (b) were

XVII of 1894.

## (Part III.—Transitory Provisions.—Section 40.)

- (b) were obtained by purchase or on account from another mill-owner, after having been produced by the latter, within the meaning of clause (c) of the said Explanation, or
- (c) were imported and customs-duty paid thereon. and have not before the commencement of this Act formed part of any goods produced within the meaning of this Act, he shall be entitled to receive, by way of deduction from the amount of duty payable in respect of any goods produced out of such yarns at any time within three months after the passing of this Act, an amount not exceeding the duty which he may show to the satisfaction of the Collector to have been paid upon such yarns, under the operation of the Cotton Duties Act, 1894, or the Indian Tariff Act, VIII of 1894:

Provided that the said yarns shall not have been used solely for borders.

Mode of making claims for drawback 39.

40. (1) Any mill-owner who intends to claim drawback under section 39 shall within a week after the passing of this Act deliver to the Collector a full under section statement showing,-

with respect to clauses (a) and (b) of the said section, the quantity and count of yarn and, as far as possible, the monthly returns in which they were included;

with respect to clause (c) of the said section, the quantity and count of yarn and the date and particulars of the payment of import duty thereon.

- (2) Such statement shall be subscribed and verified by the mill-owner, and the Collector may, by inspection or otherwise, satisfy himself of its correctness.
- (3) No deduction shall be allowed under section 39 unless the yarns in respect of which deduction is claimed have been included in the statement prepared under this section.

### Part III.—Transitory Provisions.—Sections 41-42.)

41. (1) No duty shall be levied under this Act on Provision any goods which at the commencement of this Act are with respect to goods in upon the premises of any mill and are ready for issue stock. therefrom, either without undergoing any further process, or after being made up into bales or packets:

Provided that a list of such goods be made up and deposited with the Collector within seven days from the commencement of this Act.

(2). The returns of the production of such goods prepared under section 8 of this Act shall be separate from those of other goods.

XVII of 1894.

42. The return of yarn prescribed by section 7 of Return of the Cotton Duties Act, 1894, which would, but for the repeal of the said Act, become due for delivery to the Collector on or before the fifteenth day of February, 1896, shall be prepared and delivered as if the said Act were still in force; but no duty shall be assessed or collected in respect of any yarn produced on or after the twenty-third day of January, 1896.

yarn as under section 7, Act XVII, 1894, to be delivered in February. 1896, but no duty leviable on yarn produced on or after the 23rd January, 1896.

#### SECTIONS.

15. Exemption from assessment of goods so deposited.

#### Inspection.

- Power to Collector to inspect mills and take colles of records and accounts.
- 17. Information acquired to be deemed official secrets within meaning of Act XV, 1889.

#### Export and Drawback.

- 18. Grant of certificate when dutiable goods are to be exported to foreign port.
- 19. When certificate granted, goods to be exempt from duty.
- 20. Repayment of duty in case of certain cotton goods exported to foreign ports.
- 21. When such refunds may be granted.
- 22. Power to prohibit repayment of duty in case of exportation to certain ports.
- 23. No repayment of duty to be granted in certain cases.
- 24. Application of sections 51 and 52 of Principal Act to claims under this Act.

### Offences and Penalties.

- 25. Punishments for offences.
- 26. Magistrates having jurisdiction.
- 27. Application of section 168 of Principal Act to cases of confiscation under this Act.

#### Miscellaneous.

- 28. Samples of certain goods to be taken by mill-owners at time of manufacture and to be available for inspec-
- 29. Power to Collector to take samples.
- 30. Records and accounts to be kept by mill-owners.
- 31. Mill-owners to make periodical returns of cotton yarn spun by machinery.
- 32. Application of certain provisions of Principal Act to proceedings under this Act.
- 33. Power to Local Government to reverse or modify orders under this Act.

34. Certain

#### SECTIONS.

- 84. Certain provisions of Principal Act to be incorporated in this Act.
- 35. Application of section 10, Act VIII, 1894, to duties under this Act.
- 36. Power to Governor General in Council to make rules.

#### PART II.

#### INLAND CUSTOMS DUTIES.

- 37. Levy of duties on cotton goods passing into British India from foreign territory.
- 88. Application of provisions of Principal Act as to draw-back to goods taxed under this Part.

#### PART III.

#### TRANSITORY PROVISIONS.

- 39. Drawback in respect of yarns in mills produced, purchased or imported before the 23rd January, 1896.
- 40. Mode of making claims for drawback under section 39.
- 41. Provision with respect to goods in stock.
- 42. Return of yarn as under section 7, Act XVII, 1894, to be delivered in February, 1896, but no duty leviable on yarn produced on or after the 23rd January, 1896.